REMARKS

Prior to this Reply, claims 1-25, 28, and 29 were pending but rejected under 35 U.S.C. § 103(a). Claims 1, 10, 14, 15, 17-19, and 21 are being amended herein. Claims 11-13 are being canceled. Claims 31-34 are being added. Thus, claims 1-10, 14-25, and 28-34 are pending. Reconsideration of the application is respectfully requested.

Support for Claim Amendments

Independent claim 1 now recites "at least one linked document is eliminated from the query result when the percentage of the total quantity of the image content within the at least one linked document does not surpass a threshold," support for which may be found, for example, at p. 10, ll. 5-15 with reference to the link evaluation component 312 of FIG. 3.

Claims 10, 20, and 21 now recite automatically displaying a thumbnail that visually represents a page of a query result document, and marking relevant terms on the page with an indicator when displayed in the thumbnail. See, for example, p. 7, ll. 9-17; p. 16, ll. 1-15; p. 18, ll. 12 to p. 22. ll. 28; and FIGS. 16-18, in connection with the related portions of our Specification. New dependent claims 30-34 draw support at least from the locations listed immediately above.

Rejections based on 35 U.S.C. § 103

A.) Applicable Authority

In Graham v. John Deere, the Supreme Court explained that a *prima facie* obviousness determination is made by identifying: the scope and content of the prior art; the level of ordinary skill in the prior art; the differences between the claimed invention and prior-art

references; and secondary considerations.[1] To establish a *prima facie* case of obviousness, all the claim features must be taught or suggested by the prior art.[2]

B.) Independent claim 1 overcomes the 103(a) rejection because it recites eliminating a linked document from a query result based on a percentage of image content.

Claims 1-9 and 29 were rejected as being unpatentable over Kravets,[3] Gottsmann,[4] and Tilt.[5] Without conceding the propriety of the rejections, Applicants have amended independent claim 1 to further qualify the linked document as having an elimination feature as follows: "wherein the at least one linked document is eliminated from the query result when the percentage of the total quantity of the image content within the at least one linked document does not surpass a threshold." The linked document's exclusion from a query result is a function of a percentage of image content that is present.

The Office concedes that the combination of Kravets and Gottsman does not explicitly teach providing an indication of a percentage of a total quantity of image content or text content as compared to a total content of the linked document within the query result.[6] Tilt does not teach the aforementioned elimination feature. Although Tilt "determines a relative percent of the characters, graphic files, and audio and video content based on the amount of time required to comprehend the information at a basic level," these relative percentages discussed by the cited portions of Tilt are not being utilized to eliminate links from a query result. *Id.* Thus, Applicants contend that amended claim 1 overcomes the obviousness rejection. Each of claims 2-9 and 29 are allowable at least by virtue of their dependency from claim 1.[7]

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[1] *Graham v. John Deere Co.*, 383 U.S. 1 (1966).
[2] MPEP § 2143.03; *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974).
[3] U.S. Patent No. 6,363,377
[4] U.S. Patent No. 6,134,548
[5] U.S. Patent No. 6,360,235
[6] Office Action at pg. 4, ll. 3-8.
[7] *See* 37 C.F.R. § 1.75(c) (2006).

C.) The obviousness rejection of independent claim 20 cannot properly be maintained at least because it recites highlighting relevant terms within the page displayed in a thumbnail view.

Claim 20 was rejected on obviousness grounds in view of Kravets, Gottsman, and Tilt. While not agreeing with the rejection, Applicants have amended independent claim 20 to clarify that in this embodiment includes relevant-highlighted-terms features in which the thumbnail view shows a page with highlighted terms that are deemed relevant to the user:

- "(c) means for automatically displaying a thumbnail view that visually represents a page of the at least one query result;"
- "(d) means for highlighting relevant terms within the page that are identified based on the provided user-dependent information," where
- "the highlighted relevant terms are displayed within the thumbnail view."

The Office concedes that Kravets in combination with Gottsman does not teach a thumbnail view of a search query result document that includes highlighting relevant content.[8] But the Office contends that displaying a thumbnail image that is highlighted to indicate desirable material to a user is taught. Brown[9] does not teach or suggest the aforementioned relevant-highlighted-terms features. Brown merely describes indicating the presence or absence of preferred criteria in thumbnail images of linked pages by varying a shade of a border about the thumbnail images.[10] The amendments to claim 20 overcome the 35 U.S.C. § 103(a) rejection.

D.) Independent claims 10 and 21 overcome the 103(a) rejection because they recite marking relevant terms on a page when displayed in a thumbnail.

[8] Office Action at pg. 13, ll. 3-7.
[9] U.S. Patent No. 6,405,192
[10] *Brown,* col. 9, l. 60 to col. 10, l. 35, and at FIGS. 9-11.

Claims 10-17, 21-25 and 28 were rejected as being obvious in view of Kravets, Gottsman, and Brown. Without agreeing, Applicants have amended claim 10 to recite highlighted-relevant terms features:

- "(c) automatically displaying a thumbnail that visually represents a page of the at least one query result document;"
- "(d) identifying relevant terms within the page based on the provided user-dependent query result information;" and
- "(e) marking the identified relevant terms on the page with at least one indicator when displayed in the thumbnail."

Claim 21 to states that "the thumbnail view [that] includes highlighting of relevant terms on the page in the at least one search query result document." The thumbnail view of claims 10 and 21 shows a page with marked or highlighted relevant terms.

The Office concedes that Kravets in combination with Gottsman does not teach a thumbnail view of a search query result document that includes highlighted or marked relevant content.[11] As discussed above, Brown fails to cure this deficiency of Kravets and Gottsman because Brown does not explicitly describe or inherently consider marking or highlighting relevant terms on a page within a thumbnail. These amendments to claims 10 (and similar inclusions in claim 21) overcome the 35 U.S.C. § 103(a) rejection. Claims 14-17, 21-25, and 28 depend from one claim 10 or 21, and are believed to be in condition for allowance at least by virtue of their dependency.

E.) Claims 18 and 19 overcome the 103(a) rejection because they depend from independent claim 10.

Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kravets, Gottsman, Brown, and Tilt. As discussed above, the combination of Kravets,

[11] Office Action at pg. 13, ll. 3-7.

Gottsman, and Brown fails to teach or suggest all of the features of amended independent claim 10, from which claims 18 and 19 depend. Tilt does not cure the deficiencies of these cited references because Tilt fails to teach or suggest (i) "automatically displaying a thumbnail that visually represents a page of the at least one query result document," (ii) "identifying relevant terms within the page based on the provided user-dependent query result information" and (iii) "marking the identified relevant terms on the page with at least one indicator when displayed in the thumbnail." Thus, the references above fail to teach the elements of the claim 10 and, accordingly, of claims 18 and 19.[12]

[12] *See* 37 C.F.R. § 1.75(c) (2006).

CONCLUSION

Applicants respectfully request withdrawal of the pending rejections and request allowance of the claims. If any issues remain that would prevent issuance, the Examiner is urged to contact the undersigned—by telephone at 816.559.2136 or via email at btabor@shb.com (such communication via email is herein expressly granted)—to resolve the same prior to issuing a subsequent action.

A Two Month Extension of Time Fee is submitted herewith. It is believed that no additional fee is due. However, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112, referencing attorney docket number MFCP.149842.

Respectfully submitted,

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